



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,260	06/15/2005	Jan Haisma	NL02 1443 US1	7528
65913	7590	10/21/2009		
NXP, B.V. NXP INTELLECTUAL PROPERTY & LICENSING M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER LANGMAN, JONATHAN C	
			ART UNIT 1794	PAPER NUMBER
			NOTIFICATION DATE 10/21/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

ADVISORY ACTION

Response to Arguments

The applicant argues that the Examiner is misinterpreting the reference of Habberger et al., specifically at col. 7, lines 35-48 and Figure 3. The applicant asserts that the teaching in col. 7, lines 35-50, teaches that the shape (rectangular, round, meandering or polygonal) is referring to the lateral extension of the channels, in other words when the wafer is viewed from the top as shown in Figure 3 by the wafers labeled 2. The Applicant argues that the example shapes of the lateral extension of the channels 5 (e.g. rectangular, round, meandering or polygon type) are not referring to the cross sectional shapes of the channels 5 shown in figure 3 and relied upon by the Examiner.

The Examiner respectfully disagrees with the applicant, and believes that the applicant is misinterpreting the passage of Habberger and for reasons of record the rejections are maintained.

In the paragraph beginning at line 35 of col. 7, Habberger teaches "Exemplary **shapes of the channels (5)** in both substrates are rectangular structures, round, meandering or polygonal type structures". Habberger concludes that very paragraph with the statement "Examples of different **cross sectional shapes of the channels (5)** are illustrated in Figure 3, where the structure may be performed also as far into the substrate as such".

In looking at Figure 3, a blow up view (a circle followed by 4 arrows) of the various shapes of channel (5) are seen in the four figures at the bottom of Figure 3. These shapes are polygonal or rectangle, however, one of routine skill in the art would immediately envisage using round or meandering cross sectional shapes.

The applicant argues that "it is unclear to the applicant how the cross sectional shapes of the channels 5 could be meandering or even round". The Examiner refutes this argument and asks the applicant how the shape of the islands, as viewed from the top (as proposed by the Applicant), could be meandering? It is clear that Habberger is referencing to the cross sectional shapes of the channels when referring to the shapes of the channels, and therefor the applicants interpretation of Habberger is not founded by the Examiner.

For reasons of record the rejections and arguments are maintained, and the applicants arguments are not found persuasive to overcome the Habberger rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN C. LANGMAN whose telephone number is (571)272-4811. The examiner can normally be reached on Mon-Thurs 8:00 am - 6:30 pm EST.

Art Unit: 1794

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on 571-272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JCL

/TIMOTHY SPEER/
Primary Examiner, Art Unit 1794